

**CITY OF FORT WORTH, TEXAS
REGULAR CITY COUNCIL MEETING
OCTOBER 18, 2011**

Present:

Mayor Betsy Price
Mayor Pro tem W. B. "Zim" Zimmerman, District 3
Council Member Salvador Espino, District 2
Council Member Daniel Scarth, District 4
Council Member Jungus Jordan, District 6
Council Member Dennis Shingleton, District 7
Council Member Kathleen Hicks, District 8
Council Member Joel Burns, District 9

Absent:

Council Member Frank Moss, District 5

Staff Present:

Tom Higgins, Interim City Manager
Sarah Fullenwider, City Attorney
Marty Hendrix, City Secretary

I. CALL TO ORDER

With a quorum of the City Council Members present, Mayor Price called the regular session of the Fort Worth City Council to order at 7:03 p.m., on Tuesday, October 18, 2011, in the City Council Chamber of the Fort Worth City Hall, 1000 Throckmorton Street, Fort Worth, Texas 76102, with Council Member Moss absent.

II. INVOCATION - Dr. Allen Lobaugh, University Christian Church

The invocation was provided by Dr. Allen Lobaugh, University Christian Church.

III. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

IV. CONSIDERATION OF MINUTES OF REGULAR MEETING OF OCTOBER 4, 2011

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that the minutes of the regular meeting of October 4, 2011, be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

V. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

Interim City Manager Higgins requested that Mayor and Council Communication No. C-25217 be withdrawn from the Consent Agenda for individual consideration.

VI. ITEMS TO BE CONTINUED OR WITHDRAWN BY STAFF

Interim City Manager Tom Higgins requested that Mayor and Council Communication No. G-17415 be continued until the November 1, 2011, Council meeting and Mayor and Council Communication No. C-25236 be withdrawn from consideration.

VII. CONSENT AGENDA

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that the Consent Agenda be approved as amended. The motion carried unanimously eight (8) ayes to (0) nays, with Council Member Moss absent.

A. General - Consent Items

1. M&C G-17410 - Authorize Payment for the City of Fort Worth's Fiscal Year 2012 Membership with the North Texas Commission in the Amount of \$55,971.75.

The City Council approved the following recommendation: Authorize Payment for the City of Fort Worth's Fiscal Year 2012 Membership With the North Texas Commission in the Amount of \$55,971.75.

2. M&C G-17411 - Authorize Acceptance of Donation of a 2000 Pace American Cargo Trailer Valued at \$2,500.00 from The Hartford Insurance Company, the National Insurance Crime Company and the International Association of Special Investigations Unit for Use by the Fort Worth Police Department's Weapons Unit.

The City Council approved the following recommendation: Authorize Acceptance of Donation of a 2000 Pace American Cargo Trailer Valued at \$2,500.00 From the Hartford Insurance Company, the National Insurance Crime Company and the International Association of Special Investigations Unit for Use by the Fort Worth Police Department's Weapons Unit.

B. Purchase of Equipment, Materials, and Services - Consent Items

1. M&C P-11307 - Authorize Purchase Agreement with Environmental System Research Institute, Inc., for Geographical Information Systems Software License Renewal, Maintenance, Services and Training, Using a Department of Information Resources Contract for the Information Technology Solutions Department for an Amount of \$150,000.00 for the First Year.

The City Council approved the following recommendation: Authorize a Purchase Agreement With Environmental System Research Institute, Inc., for Geographical Information Systems Software License Renewal, Maintenance, Services and Training, Using the Department of Information Resources Contract Number DIR-SDD-1637, for the Information Technology Solutions Department for an Amount of \$150,000.00 for the First Year.

2. M&C P-11308 - Authorize Purchase Agreement with Austin Ribbon and Computer Supplies Inc., a Panasonic Computer Solutions Company Designated Reseller for Panasonic Toughbooks, Maintenance and Installation, Using a State of Texas Department of Information Resources Contract for the Information Technology Solutions Department for an Amount of \$225,000.00 for the First Year.

The City Council approved the following recommendation: Authorize a Purchase Agreement with Austin Ribbon and Computer Supplies, Inc., a Panasonic Computer Solutions Company Designated Reseller, for Panasonic Toughbooks, Maintenance and Installation, Using State of Texas Department of Information Resources Contract Number DIR-SDD-1365, for the Information Technology Solutions Department for an Amount of \$225,000.00 for the First Year.

3. M&C P-11309 - Authorize Purchase of Three Intermediate Sedans from Baby Jack II Automotive LTD d/b/a Caldwell Country Chevrolet - Pontiac, Using a Texas Multiple Award Schedule Cooperative Contract for the Transportation and Public Works, Water and Fire Departments for a Total Amount of \$51,414.00.

The City Council approved the following recommendation: Authorize the Purchase of Three (3) Intermediate Sedans From Baby Jack II Automotive, LTD, d/b/a Caldwell Country Chevrolet - Pontiac, Using the Texas Multiple Award Schedule Contract No. 7-23V020-1 for the Transportation and Public Works, Water and Fire Departments for a Total Amount of \$51,414.00.

C. Land - Consent Items

1. M&C L-15266 - Authorize Sale of City Fee-Owned Property Located at 1238 East Jefferson to Tabitha Brown for \$65,000.00.

The City Council approved the following recommendation: Authorize the Sale of a City Fee-Owned Property Located at 1238 E. Jefferson, Described as Lot 10, Block 47, Highland Park Addition, to Tabitha Brown for \$65,000.00, Pursuant to Texas Local Government Code 272.001(b)(6); Authorize

(VII. CONSENT AGENDA Continued)

(L-15266 Continued)

Payment of a Six (6) Percent Real Estate Broker Fee of \$3,900.00 to Mel Harris, Elements Realty Group, LLC; and Authorize Execution and Recording of the Appropriate Instruments Conveying the Property to Complete the Sale.

2. M&C L-15267 - Authorize Sale of City Fee-Owned Property Located at 5221 Pinson to Raul Sanchez Navarro for \$65,000.00.

The City Council approved the following recommendation: Authorize the Sale of a City Fee-Owned Property Located at 5221 Pinson, Described as Lot 9B, Block 6, Sunrise Addition, to Raul Sanchez Navarro for \$65,000.00, Pursuant to Texas Local Government Code Section 272.001(b)(6); Authorize Payment of a Real Estate Broker Fee of \$3,900.00 to Mel Harris, Elements Realty Group, L.L.C.; and Authorize Execution and Recording of the Appropriate Instruments Conveying the Property to Complete the Sale.

3. M&C L-15268 - Authorize Execution of Leases for 1000 Calvert Street and 1076 Calvert Street, from Tarrant Regional Water District for a Rental Rate of \$10.00 Per Year Per Lease.

The City Council approved the following recommendation: Authorize Execution of Leases for 1000 Calvert Street, Described as Lot 1, Block 3, and 1076 Calvert Street, Described as Lot 1, Block A, Both in the Valley View Addition, From Tarrant Regional Water District for a Rental Rate of \$10.00 Per Year Per Lease; and Authorize Execution and Recording of the Appropriate Instruments Concerning the Lease of the Properties.

4. M&C L-15269 - Approve Sale of 2604 Strong Avenue to the North Texas Area Community Health Centers, Inc., for the Amount of \$100.00, Execute Deed of Trust to Secure Performance and Adopt Resolution Stating the Conditions of the Conveyance and the Public Purpose in Accordance with Texas Local Government Code Section 272.001(i).

The City Council approved the following recommendation: Approve the Sale of City Owned Property Comprised of Lots K2 and M2, Block 8 of the Wesleyan Hills Addition, Located at 2604 Strong Avenue to the North Texas Area Community Health Centers, Inc., (NTACHC) in Accordance With Local Government Code Section 272.001(i) in Consideration of \$100.00; Authorize Execution of Deed of Trust to Secure Performance for Redevelopment of the Property; and Adopt Resolution No. 4033-10-2011 Stating the Conditions of the Conveyance of 2604 Strong Avenue and the Public Purpose That Will be Achieved by the Conveyance, Which is the Provision of Health Care Service to Low-to-Moderate Income Persons.

(VII. CONSENT AGENDA Continued)

E. Award of Contract - Consent Items

2. M&C C-25218 - Authorize Execution of a Consent to Assignment of Tax Abatement Agreement with Berry Street, LP, City Secretary Contract No. 31168, to Allow Assignment of the Agreement to GM Westberry, L.L.C., or an Affiliate.

The City Council approved the following recommendation: Authorize Execution of a Consent to Assignment of a Tax Abatement Agreement With Berry Street, LP, City Secretary Contract No. 31168, to Allow Assignment of the Agreement to GM Westberry, L.L.C., or an Affiliate.

3. M&C C-25219 - Authorize Execution of Amendment No. 3 to City Secretary Contract No. 32301, an Engineering Agreement with Teague Nall and Perkins, Inc., in the Amount of \$123,897.00 for the Stormwater Utility Project-Lebow Channel Watershed Improvements for a Total Contract Amount of \$985,047.00.

The City Council approved the following recommendation: Authorize Execution of Amendment No. 3 in the Amount of \$123,897.00 to City Secretary Contract No. 32301 With Teague Nall and Perkins, Inc., Thereby Revising the Total Contract Cost to \$985,047.00, for the Stormwater Utility Project-Lebow Channel Watershed Improvements.

4. M&C C-25220 - Authorize Execution of Amendment No. 1 to City Secretary Contract No. 40658, an Engineering Agreement with Michael Baker, Jr., Inc., for the Selection of Feasible Options for the Central Arlington Heights and Forest Park-Berry Watersheds in the Amount of \$98,000.00.

The City Council approved the following recommendation: Authorize the Execution of Amendment No. 1, City Secretary Contract No. 40658, an Engineering Agreement With Michael Baker, Jr., Inc., for the Selection of Feasible Options for the Central Arlington Heights and Forest Park-Berry Watersheds - Feasible Options Study in the Amount of \$98,000.00 for a Total Contract Price of \$299,000.00.

5. M&C C-25221 - Ratify Application for the Other Victim Assistance Grant from the Office of the Attorney General Crime Victim Services, Authorize Acceptance of \$42,000.00 in Grant Funds from the Victim Coordinator and Liaison Grant Program, Authorize Execution of a Contract with the Office of the Attorney General, Authorize \$10,623.00 in Matching Funds, Adopt Resolution in Order to Make Assurances Required by the Attorney General of Texas's Crime Victim Services and Adopt Appropriation Ordinance.

(VII. CONSENT AGENDA Continued)

(C-25221 Continued)

The City Council approved the following recommendation: Authorize Ratification of the Application for Grant Funds in the Amount of \$42,000.00 for the Other Victim Assistance Grant From the Office of the Attorney General of Texas's Crime Victim Services Division; Authorize Acceptance of Grant Funds in the Amount of \$42,000.00 From the Victim Coordinator and Liaison Grant From the Office of the Attorney General of Texas's Crime Victim Services Division; Authorize Execution of a Contract With the Office of the Attorney General of Texas's Crime Victim Services Division for the Implementation of the Victim Coordinator and Liaison Grant; Authorize Transfer of \$10,623.00 From the Federal Awarded Assets Fund to the Grants

Fund for the City's Match; Adopt Resolution No. 4034-10-2011 Authorizing the Making of Assurances Required by the Office of the Attorney General Crime Victim Services Division in Connection With the Fiscal Year 2012 Victim Coordinator and Liaison Grant Funds; and Adopt Appropriation Ordinance No. 19935-10-2011 Increasing the Estimated Receipts and Appropriations in the Grants Fund, Subject to Receipt of the Grant.

6. M&C C-25222 - Authorize Execution of a Professional Services Agreement in an Amount Not to Exceed \$70,000.00 with OR Colan Associates for a Five Year On-Call Agreement for Property Acquisition Services for the Aviation Department.

The City Council approved the following recommendation: Authorize the Execution of a Professional Services Agreement in an Amount Not to Exceed \$70,000.00 With OR Colan Associates for a Five (5) Year On-Call Agreement for Property Acquisition Services for the Aviation Department.

7. M&C C-25223 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 40610 with S.J. Louis Construction of TX, Ltd., in the Amount of \$542,266.73 for Water and Sanitary Sewer Relocations for State Highway 121T Crossing West of the Hulen Street Bridge within the Union Pacific Railroad Davidson Rail Yard, Part 2-Hulen Street Bridge and Water Main Extension from Hulen Street to Como Pump Station, Part 2.

The City Council approved the following recommendation: Authorize Execution of Change Order No. 2 in the Amount of \$542,266.73 to City Secretary Contract No. 40610 With S.J. Louis Construction of TX, Ltd., for Water and Sanitary Sewer Relocations for SH121T Crossing West of the Hulen Street Bridge Within the Union Pacific Railroad Davidson Rail Yard, Part 2-Hulen Street Bridge and Water Main Extension From Hulen Street to Como Pump Station, Part 2, Thereby Increasing the Contract Amount to \$7,092,497.97.

(VII. CONSENT AGENDA Continued)

8. M&C C-25224 - Authorize Execution of Amendment No. 3 to the Agreement with Aqua Utilities, Inc., and the Resort at Eagle Mountain Lake, L.P., to Sell Supplemental Treated Water on a Temporary Basis for The Resort at Eagle Mountain Lake.

The City Council approved the following recommendation: Authorize the City Manager to Approve the Treated Water Service Extension From January 1, 2010, to December 31, 2013, for the Resort at Eagle Mountain Lake, L.P., Pursuant to the Terms and Conditions in the Third Amendment.

9. M&C C-25225 - Authorize Execution of a Contract with Cleburne Utility Construction, Inc., in the Amount of \$276,354.50 for Sanitary Sewer Rehabilitation Contract 71, Part 3, on Whistler Drive, Westrock Drive and Two Alleyways.

The City Council approved the following recommendation: Authorize Execution of a Contract With Cleburne Utility Construction, Inc., in the Amount of \$276,354.50 for Sanitary Sewer Rehabilitation Contract 71, Part 3, on Whistler Drive, From Trail Lake Drive to Westrock Drive; Westrock Drive, From Wrigley Way to 360 Feet North; Alleyway Between East Baltimore Avenue and Arlington Avenue, From I.H. 35W Service Road to Evans Avenue; and Alleyway Between East Jessamine Street and Ramey Avenue, From New York Avenue to Mississippi Avenue.

10. M&C C-25226 - Authorize Execution of an Engineering Agreement with James DeOtte Engineering, Inc., in the Amount of \$150,000.00 for Water and Sewer Design Services, Contract 2011.

The City Council approved the following recommendation: Authorize the Execution of an Engineering Agreement in the Amount of \$150,000.00 With James DeOtte Engineering, Inc., for Water and Sewer Design Services, Contract 2011.

11. M&C C-25227 - Authorize Execution of Change Order No. 2 to City Secretary Contract No. 41649 with Raydon, Inc., in the Amount of \$35,058.10 for Additional Park Improvements at Rolling Hills Soccer Complex.

The City Council approved the following recommendation: Authorize the Execution of Change Order No. 2 to City Secretary Contract No. 41649 With Raydon, Inc., in the Amount of \$35,058.10 for Additional Park Improvements at Rolling Hills Soccer Complex.

VIII. PRESENTATIONS BY THE CITY SECRETARY - CONSENT ITEMS

1. OCS-1830 - Notice of Claims for Alleged Damages and/or Injuries

End of Consent Agenda.

E. Award of Contract - Consent Items (Removed from Consent Agenda for Individual Consideration)

1. M&C C-25217 - Authorize Execution of an Encroachment Agreement with Cook Children's Healthcare System for the Installation of Private Improvements Within the Cooper Street Right-of-Way Between Eighth Avenue and Seventh Avenue in the General Vicinity of 801 Seventh Avenue.

The recommendation was that the City Council Authorize the Execution of an Encroachment Agreement With Cook Children's Healthcare System for the Installation of Several Private Improvements Within the Cooper Street Right-of-Way Between Eighth Avenue and Seventh Avenue in the General Vicinity of 801 Seventh Avenue. These Private Improvements Include: Flag Poles, Monument Signs, a Retaining Wall, Roof Drains, Pedestrian Light Posts, Lantern Piers, Bollards, Electrical Conduit and Irrigation Casing Sleeves.

Council Member Jordan advised he had filed a Conflict of Interest Affidavit with the City Secretary's Office and would abstain from voting on this item.

Motion: Council Member Scarth made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25217 be approved. The motion carried unanimously with seven (7) ayes to zero (0) nays, with one (1) abstention by Council Member Jordan, and Council Member Moss absent.

IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC.

1. Presentation of Certificates of Recognition to Former Board and Commission Members

Council Member Shingleton presented Certificates of Recognition to the following former Board and Commission members:

Mr. Jim Graham, for his service on the Aviation Advisory Board from October 24, 2006, through May 18, 2011.

Ms. Dorothy DeBose, for her service on the Community Action Partners Council from June 15, 2006, through June 30, 2011.

Mr. Karl Bradley for his service on the Community Action Partners Council from June 15, 2006, through May 10, 2011.

Mr. Wallace Bridges for his service on the Community Action Partners Council from December 14, 2006, through June 30, 2011.

(IX. SPECIAL PRESENTATIONS, INTRODUCTIONS, ETC. #1 Continued)

Mr. Scott Polikov for his service on the Downtown Design Review Board from October 14, 2008, through May 10, 2011.

Mr. Ames Fender for his service on the Historic and Cultural landmarks Commission from September 23, 2003, through June 7, 2011.

Ms. Erma Johnson-Hadley for her service on the Housing Authority of the City of Fort Worth from February 13, 1979 through June 7, 2011.

Council Member Shingleton advised that the following individuals were unable to attend the meeting to receive a Certificate of Recognition:

Ms. Bernice Donnell for her service on the Community Action partners Council from December 14, 2006, through June 30, 2011.

Ms. Vicki Mize for her service on the Community Action Partners Council from June 15, 2006, through June 30, 2011.

Ms. India Stewart for her service on the Fort Worth Commission for Women from September 28, 2010, through May 10, 2011.

Mr. Robert Mohler for his service on the City Plan Commission and the Capital Improvements Advisory Committee for Transportation Impact Fees from March 9, 2010, through May 10, 2011.

Ms. Marti VanRavenswaay for her service on the Community Action Partners Council from September 2, 2004, through January 1, 2011.

X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF

1. Upcoming and Recent Events

Mayor Pro tem Zimmerman announced that the 2011 Fort Worth Alliance Air Show would be held October 22-23, 2011, in North Texas. He stated that the United States Air Force Thunderbirds and other jets, both military and civilian, would be featured in a full day of dynamic aviation performances. He advised that admission was free but there was a \$20.00 fee for parking. He stated that gates would be open from 9:00 a.m., to 5:00 p.m., daily.

Council Member Jordan announced that the Texas Christian University (TCU) Homecoming football game would be held on October 22, 2011, at 1:00 p.m. He stated TCU would play against the University of New Mexico Lobos and encouraged everyone to wear purple and support TCU.

(X. ANNOUNCEMENTS BY CITY COUNCIL MEMBERS AND STAFF #1 Continued)

Mayor Price announced that Party on the Plaza would be held on October 20, 2011, at 6:00 p.m., in Montgomery Plaza. She stated this was a 5K Run/Walk event which would showcase a variety of restaurants in the area and advised that the proceeds would benefit Streams and Valleys, Inc.

2. Recognition of Citizens

There were no citizens recognized at this time.

XI. PRESENTATIONS BY THE CITY COUNCIL

1. Changes in Membership on Boards and Commissions

There were no changes in membership on Boards and Commissions.

2. Appointment of City Manager

Mayor Price stated that she supported the appointment of Mr. Higgins as the City Manager and stated he had done an excellent job in an interim capacity. She also clarified that he would not receive a salary increase with this change. She also advised that the City would be conducting a national search for a City Manager in the coming months.

Council Members Hicks spoke highly of Mr. Higgins and commended him on his work. She indicated her support for Mr. Higgins being appointed as the City Manager. She added that she was disconcerted to see this item on the agenda as she felt it was important to be open and transparent. She explained her concern for everyone being on the same page. She stated Mr. Higgins had done an outstanding job as the Interim City Manager and stated he worked for the entire City.

Mayor Pro tem Zimmerman and Council Members Scarth and Espino all expressed their support for Mr. Higgins and stated he had excelled in every position that he held in the City. They stated he provided wonderful economic development guidance and led the City through a superior budgeting process.

Council Member Burns also expressed his support for Mr. Higgins and stated he would also support a national search for a City Manager and pointed out that national searches had been conducted for other key positions in the City.

City Manager Higgins expressed appreciation to the Mayor and Council for their support of City staff. He stated that he was humbled and excited to accept a position previously held by a number of well respected public officials. He stated there were many issues at hand and he and the City staff were prepared to meet the challenges ahead.

(XI. PRESENTATIONS BY THE CITY COUNCIL #2 Continued)

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that Tom Higgins, Interim City Manager be appointed City Manager. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XII. PRESENTATIONS AND/OR COMMUNICATIONS FROM BOARDS, COMMISSIONS AND/OR CITY COUNCIL COMMITTEES

There were no presentations and/or communications from boards, commissions and/or City Council committees.

XIII. RESOLUTIONS

1. A Resolution Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Six, City of Fort Worth, Texas, Acknowledging the Appointment of the Other Current Members of the Board, and Appointing a Chairperson for the Board (Riverfront TIF)

The City Council appointed the persons listed below to the Board of Directors of Tax Increment Reinvestment Zone Number Six (6) for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Lisa McMillan	December 31, 2011
Frank Moss	December 31, 2012
Dionne Bagsby	December 31, 2012
Krystal James	December 31, 2012

The City Council acknowledged that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Roy Brooks	City of Fort Worth	December 31, 2011
G. K. Maenius	City of Fort Worth	December 31, 2011
Nina Petty	City of Fort Worth	December 31, 2011
Jon Ed Robbins	Tarrant County	December 31, 2012
Mark McClendon	Tarrant County College District	December 31, 2011
Scott Rule	Tarrant County Hospital District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

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(XIII. RESOLUTIONS #1 Continued)

The City Council appointed Frank Moss as the Board's chairperson for the remainder of calendar year 2011.

The City Council appointed the persons listed below to the Board for terms beginning on January 1, 2012, and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Roy Brooks	December 31, 2013
G. K. Maenius	December 31, 2013
Lisa McMillan	December 31, 2013
Nina Petty	December 31, 2013

Motion: Council Member Hicks made a motion, seconded by Council Member Burns, that Resolution No. 40035-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

2. A Resolution Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Seven, City of Fort Worth, Texas, Acknowledging the Appointment of the Other Current Members of the Board, and Appointing a Chairperson for the Board (North Tarrant Parkway TIF)

The City Council appointed the persons listed below to the Board of Directors of Tax Increment Reinvestment Zone Number Seven (7) for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Neftali Ortiz	December 31, 2011
Glenn Forbes	December 31, 2011
Joseph Faust	December 31, 2012
Winjie Tang Miao	December 31, 2011
Ken Kristofek	December 31, 2012
Bill Miller	December 31, 2012
Sal Espino	December 31, 2012

(XIII. RESOLUTIONS #2 Continued)

The City Council acknowledged that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Danny Scarth	City of Fort Worth	December 31, 2011
Russell Laughlin	City of Fort Worth	December 31, 2011
Randy Moresi	City of Fort Worth	December 31, 2011
Gary Fickes	Tarrant County	December 31, 2012
Elva LeBlanc	Tarrant County College District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

The City Council appointed Danny Scarth as the Board's chairperson for the remainder of calendar year 2011.

The City Council appointed the persons listed below to the Board for terms beginning on January 1, 2012, and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Neftali Ortiz	December 31, 2013
Glenn Forbes	December 31, 2013
Winjie Tang Miao	December 31, 2013
Danny Scarth	December 31, 2013
Russell Laughlin	December 31, 2013
Randy Moresi	December 31, 2013

Motion: Council Member Scarth made a motion, seconded by Council Member Espino, that Resolution No. 40036-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

3. A Resolution Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Ten, City of Fort Worth, Texas, Acknowledging the Appointment of the Other Current Members of the Board, and Appointing a Chairperson for the Board (Lone Star TIF)

The City Council appointed the persons listed below to the Board of Directors of Tax Increment Reinvestment Zone Number Ten (10) for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

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(XIII. RESOLUTIONS #3 Continued)

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Andre McEwing	December 31, 2011
Sal Espino	December 31, 2012
Mike Berry	December 31, 2012
J. D. Granger	December 31, 2012

The City Council acknowledged that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Frank Moss	City of Fort Worth	December 31, 2011
Zim Zimmerman	City of Fort Worth	December 31, 2011
Kevin Norwood	City of Fort Worth	December 31, 2011
Gary Fickes	Tarrant County	December 31, 2012
Mark McClendon	Tarrant County College District	December 31, 2011
Scott Rule	Tarrant County Hospital District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

The City Council appointed Sal Espino as the Board's chairperson for the remainder of calendar year 2011.

The City Council appointed the persons listed below to the Board for terms beginning on January 1, 2012, and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Andre McEwing	December 31, 2013
Frank Moss	December 31, 2013
Zim Zimmerman	December 31, 2013
Kevin Norwood	December 31, 2013

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Resolution No. 40037-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

4. A Resolution Appointing Certain Members to the Board of Directors of Tax Increment Reinvestment Zone Number Twelve, City of Fort Worth, Texas, Acknowledging the Appointment of the Other Current Members of the Board, and Appointing a Chairperson for the Board (East Berry Renaissance TIF)

The City Council appointed the persons listed below to the Board of Directors of Tax Increment Reinvestment Zone Number Twelve (12) for a term beginning on the date of adoption of this Resolution and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Bob Smith	December 31, 2012
Scott Rule	December 31, 2011
Kathleen Hicks	December 31, 2012
Dennis Shingleton	December 31, 2012
Wayne Carson	December 31, 2012

The City Council acknowledged that the following persons have been appointed to the Board by the following entities for terms expiring on the dates indicated below:

<u>NAME</u>	<u>APPOINTING ENTITY</u>	<u>EXPIRATION OF TERM</u>
Pamela Corbett-Murrin	City of Fort Worth	December 31, 2011
Camille Rodriguez	City of Fort Worth	December 31, 2011
Martha Toombs	City of Fort Worth	December 31, 2011
Roy Brooks	Tarrant County	December 31, 2012
Mark McClendon	Tarrant County College District	December 31, 2011
Linda Christie	Tarrant Regional Water District	December 31, 2012

The City Council appointed Kathleen Hicks as the Board's chairperson for the remainder of calendar year 2011.

The City Council appointed the persons listed below to the Board for terms beginning on January 1, 2012, and expiring as indicated below:

<u>NAME</u>	<u>EXPIRATION OF TERM</u>
Pamela Corbett-Murrin	December 31, 2013
Camille Rodriguez	December 31, 2013
Martha Toombs	December 31, 2013

Motion: Council Member Shingleton made a motion, seconded by Council Member Hicks, that Resolution No. 40038-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XIV. ZONING HEARING

Mayor Price opened the public hearing and asked if there was anyone present desiring to be heard.

It appeared to the City Council that the Notice of Special Hearing set today as the date for the hearing in connection with recommended changes and amendments to Zoning Ordinance No. 13896 and that notice of the hearing had been given by publication in the *Fort Worth Star-Telegram*, the official newspaper of the City of Fort Worth, on October 3, 2011.

1. ZC-11-044 - Blanca D. Cantu', 1207 - 1211 Clinton Avenue; from: "A-5" One-Family to: "PD/A-5" Planned Development for all uses in "A-5" One-Family plus a beauty shop; beauty shop to be developed to "ER" Neighborhood Commercial Restricted development standards and to include the existing front yard fence; site plan waiver requested. (Recommended for Denial)

Mr. Louis Zapata, representing the applicant, 2007 North Houston Street, appeared before Council and provided an overview of the request. He stated that the applicant wished to remodel the property to accommodate a beauty shop and would add landscaping. He pointed out that there were concerns about traffic but it would not interrupt the residential setting and urged Council to approve this zoning change. He provided a handout of information to the Council.

Mr. Robert Snoke, 3826 6th Avenue, appeared before Council in support of Zoning Docket No. ZC-11-044 and stated that the Rosemont area was doing spectacular, neighborhood participation was increasing and residents were registering to vote. He stated that many of the residents support this zoning change and encouraged the Council to support this item.

The following individuals appeared before Council in opposition to Zoning Docket No. ZC-11-044 and stated that the citizens wished to keep the entire area as single-family residential. They stated the area consisted of families and children and would not be a good location for a business as it was set away from the main traffic. They stated commercial business on this street would bring crime and traffic to the area. They stated nine (9) of the 10 residents on this block did not support this zoning change.

Ms. Maricela Munoz, 1218 Clinton Avenue
Mr. Francisco Alejandra, 1216 Clinton Avenue

Council Member Espino advised that there was conflicting information about how many residents supported this zoning change. He stated that a beauty shop was a compatible use for the area. He added that many of the residents were concerned about the traffic that a commercial business would bring to the area. He encouraged the applicant and the residents to work together to come to an agreement and advised that he would continue this item to the November 1, 2011, Council meeting.

(ZC-11-044 Continued)

Motion: Council Member Espino made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-11-044 be continued until the November 1, 2011, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

2. ZC-11-056 - City of Fort Worth Planning & Development, Alta Mere Addition, Generally bounded by Calmont Avenue, Alta Mere Drive, Garza Avenue, and Reagan Drive; from: "A-5" One-Family, "CF" Community Facilities, "C" Medium Density Multifamily, "E" Neighborhood Commercial, "FR" General Commercial Restricted, "IP" Industrial Park, and "PD-654" Planned Development to: "CF" Community Facilities, and "I" Light Industrial. (Recommended for Approval)

Ms. Rachel Wiggins, 1510 Chennault Avenue, representing the Naval Air Station Joint Reserve Base (NASJRB) appeared before Council in support of Zoning Docket No. ZC-11-056 and stated that this zoning change would align the property with the Comprehensive Plan. She pointed out that the industrial district aided the goals of the 2008 Joint Land Use Study Report for the NASJRB by removing incompatible residential zoning from the southern Accident Potential Zone. She stated that the NASJRB was in support of this zoning change.

Mr. Paul Paine, 1606 Mistletoe Boulevard, completed a speaker card in support of Zoning Docket No. ZC-11-056, but did not wish to address the City Council.

Mr. Donald Watson, 3240 Reagan Drive, appeared before Council in opposition to Zoning Docket No. ZC-11-056 and stated that he had lived in his home since the 1950's and this zoning change was a violation of his rights.

Mayor Pro tem Zimmerman and Council Member Shingleton clarified that this zoning change did not change the use of his property and did not affect him living in his house. They stated this change would protect the base and the residents in the future. They suggested Mr. Watson meet with Ms. Wiggins to get further information on this zoning request.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Hicks, that Zoning Docket No. ZC-11-056 be continued until the November 1, 2011, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays with Council Member Moss absent.

3. ZC-11-059 - Cobalt Industrial REIT/DM Properties Ltd., 1304 and 1401 Forum Way South; from: "I" Light Industrial to:"PD/K" Planned Development for all uses in "K" Heavy Industrial plus auto recycling facility, excluding the following uses: correctional facility, blood bank, tattoo parlor, wastewater (sewage) treatment facility; water supply, treatment or storage facility; sexually oriented business, stable, commercial riding, boarding or rodeo arena; mini-warehouse, assaying, chicken battery or brooder, animal by-products processing, batch plant, concrete or asphalt (permanent); brewery, distillery or winery; brick, clay, glass, shale, tile, or terra cotta products manufacture; cement products plant, cotton gin, cotton oil mill, bailing or compress; egg cracking or processing; furnace, blast, forge plant, boiler works manufacture, galvanizing, sheet or structural shapes, glue manufacture, grain elevator, magnesium casting, machining or fabricating; manufacture of acetylene or oxygen gas, alcohol computers and related electronic products, airplanes, automobiles, trucks and tractors (including assembly plants), ball or roller bearings, steel tanks, candles and celluloid, cash registers, cutlery, disinfectants, dextrin, dyestuff, electrical machinery, farm tools, type writers and vinegar; manufacture of basket material, bicycles, boots, boxes other than paper, caskets, shoes; manufacture of dyes, cores, die-casting molds; metal casting, metal foundry plant or fabrication plant, metal stamping, dyeing, shearing or punching; planning mill or woodworking shop, poultry killing or dressing, soap manufacture, soda or compound manufacture, stoneyard, building stone, cutting, sawing or storage; tar distillation/manufacturing, tobacco (chewing) manufacture or treatment; site plan included. (Recommended for Approval)

Mr. Mark Becker, 3520 Nancy Court, Plano, Texas 75023, representing the applicant, appeared before Council and provided an overview of the zoning request. He added that applicant was requesting the "PD/K" Planned Development for all uses in "K" Heavy Industrial plus auto recycling facility. He stated that this facility would bring over 50 jobs to the area with an average salary of \$55,000.00 per year and encouraged the Council to approve this item.

The following individuals appeared before Council in opposition to Zoning Docket No. ZC-11-059 and stated that the applicant was requesting the heaviest industrial zoning which was not acceptable for this area or compatible with development plans in the area. They stated the applicant should have to come before Council every five (5) years to request this zoning in order to properly manage the zoning and uses in this area. They also stated their concerns about the traffic and hazardous materials such as oil, gas and anti-freeze that would be located at the site and compared the auto recycling facility to a common junk yard.

Ms. Wanda Conlin, 1755 Nartel
Ms. Eunice Givens, 5500 Stafford

Reverend Wendell Cass, 2129 Ridgeview Street, completed a speaker card in opposition to Zoning Docket No. ZC-11-059 and was recognized by Mayor Price, but was not present in the Council Chamber.

(ZC-11-059 Continued)

Council Member Hicks stated that she would not support this item because the requested land use was not compatible with the area. She stated that "K" Heavy Industrial Use would be in place forever on 31 acres and would hinder development in the future. She also advised that this property was located in close proximity to schools and she had concerns about chemicals relative to the activity that would take place on the property. She stated that she understood these facilities had to go somewhere in the City, but reiterated that this was not an appropriate location. She praised Council Member Espino who was able to find a good location away from residences for a similar use in Council District 2.

Motion: Council Member Hicks made a motion, seconded by Council Member Jordan, that Zoning Docket No. ZC-11-059 be denied with prejudice. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

4. ZC-11-067 - Cassco Land Company Inc./Edwards Geren Ltd., 5200 block of Arborlawn Drive & 3940 International Plaza, from: "A-5" One-Family and "G" Intensive Commercial to: "A-5" One-Family. (Recommended for Approval)

Mr. Richard Shaheen, representing the applicant, 550 Bailey Avenue, appeared before Council in support of Zoning Docket No. ZC-11-067 and requested the Council approve this item.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-11-067 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

5. ZC-11-068 - Patriot Bank, 6000 Cromwell Marine Creek Road; from: "A-5" One-Family to: "E" Neighborhood Commercial. (Recommended for Approval)

Mr. Jonathan Ragsdale, 5751 Kroger Drive, completed a speaker card in support of Zoning Docket No. ZC-11-068, but did not wish to address the City Council.

Motion: Council Member Shingleton made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-11-068 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

6. ZC-11-069 - TBTX Holding, LLC, 12750 NW U. S. Highway 287; from: "AG" Agricultural to: "I" Light Industrial and "PD/I" Planned Development for all uses in "I" Light Industrial plus indoor shooting range; site plan included. (Recommended for Approval)

Council Member Shingleton requested Mr. Wagner provide a brief description of the proposed facility.

(ZC-11-069 Continued)

Mr. Robert Wagner, 1817 Kingsbridge Lane, Keller, Texas, 76262, appeared before Council in support of Zoning Docket No. ZC-11-069 and stated that the 42,000 square foot indoor shooting range would be constructed on 7.5 acres and would feature a 100 yard shooting range with two (2) smaller pistol ranges. He pointed out that this facility would be the first of its kind in the Dallas/Fort Worth area.

Motion: Council Member Shingleton made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-11-069 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

7. SP-11-006 - Fort Worth Midtown, LLC, 2222 W. Rosedale Street; site plan amendment to "PD-558" Planned Development to add a screening wall for Lot 2 along the southern elevation, not include fenestration/clear glazing for Lot 7, not apply the 60% fenestration requirement for Lots 2, 3, 7, & 8. (Recommended for Approval as Amended)

Mr. Paul Paine, 1606 Mistletoe Boulevard, completed a speaker card in support of Zoning Docket No. SP-11-006, but did not wish to address the City Council.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Zoning Docket No. SP-11-006 be approved as amended, including the withdrawal of the masonry waiver request for Lot 8. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

8. ZC-11-071 - Hulen Street Baptist Church, 7100 South Hulen Street; from: "CF" Community Facilities to: "E" Neighborhood Commercial. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-11-071 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

9. ZC-11-072 - Joseph Bialek, 1314 Alston Avenue; from: "NS-T4/HC" Near Southside T4 District/Historic & Cultural Overlay to: "NS-T4 /HSE" Near Southside T4 /Highly Significant Endangered. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Burns made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-11-072 be approved. The motion carried unanimously (8) ayes to zero (0) nays, with Council Member Moss absent.

10. ZC-11-073 - City of Fort Worth Parks & Community Services, 4680 McPherson Boulevard; from: "AR" One-Family Restricted, and "E" Neighborhood Commercial to: "CF" Community Facilities. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket No. ZC-11-073 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

11. ZC-11-074 - (CD 8) - City of Fort Worth Planning & Development, Mitchell Boulevard Neighborhood, Generally bounded by U. S. 287, East Berry Street, Mitchell Boulevard, and Cobb Park Drive; from: "A-5" One-Family, "B" Two-Family, "C/DD" Medium Density Multifamily/ Demolition Delay, "CF" Community Facilities, "E" Neighborhood Commercial, "FR" General Commercial Restricted, and "PD 361" Planned Development for E uses to: "A-5" One-Family, "B" Two-Family, "R1" Zero Lot Line/Cluster, "CF" Community Facilities, "CF/DD" Community Facilities/Demolition Delay, "ER" Neighborhood Commercial Restricted, and "E" Neighborhood Commercial (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Hicks made a motion, seconded by Council Member Burns, that Zoning Docket No. ZC-11-074 be approved with appreciation to staff and residents. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

City Secretary Hendrix advised that Zoning Docket No. ZC-11-100 would be moved up on the agenda to be considered by Council prior to the companion case, Zoning Docket No. ZC-11-075, which is the map amendment.

35. ZC-11-100 - City of Fort Worth Planning & Development, Text Amendment: Camp Bowie Corridor District: An Ordinance amending the Zoning Ordinance of the City of Fort Worth, being Ordinance No. 13896, as amended, codified as Appendix "A" of the Code of The City of Fort Worth, to amend Article 9 "Commercial Districts", Of Chapter 4, "District Regulations" to: Add a New Section, Section 4.1204 "Camp Bowie ("CB") District"; Add separate zones within the district; Providing for design standards and guidelines for new construction and certain renovations; and Requiring a Certificate of Appropriateness for new construction and certain renovations. (Recommended for Approval)

(ZC-11-100 Continued)

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, clarified that the newspaper notice incorrectly referenced the new Section as 4.1203 and pointed out that City Secretary Hendrix read the correct new Section 4.1204 language when this item was read into the record and this item did not need to be amended.

Ms. Rachel Wiggins, 1510 Chennault Avenue, completed a speaker card in support of Zoning Docket No. ZC-11-100 and was recognized by Mayor Price, but was not present in the Council Chamber.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-11-100 be approved and Ordinance No. 19936-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

Council moved back up the agenda to consider Zoning Docket No. ZC-11-075.

12. ZC-11-075 - City of Fort Worth Planning & Development, Camp Bowie Corridor Form Based Code District: I-30 to SW Loop 820, Generally 1/4 mile along both sides of 5500 - 9000 blocks of Camp Bowie Boulevard/Camp Bowie Boulevard W.; from: "A-5" One-Family, "B" Two-Family, "C" Medium Density Multifamily, "CF" Community Facilities, "ER" Neighborhood Commercial Restricted, "E" Neighborhood Commercial, "MU-1" Low Intensity Mixed-Use, "FR" General Commercial Restricted, "F" General Commercial, "G" Intensive Commercial, "I" Light Industrial, "MU-2" High Intensity Mixed-Use, and "PD" Planned Developments Nos. 51, 108, 135, 167, 190, 227, 250, 315, 340, 378, 400, 546, 580, 615, 628, 633, 744, 784, and 882 to: Camp Bowie Form-Based districts: Highway Frontage, Transition Frontage, Ridglea Gateway, Ridglea Urban Village Core North, Ridglea Urban Village Core South, General Corridor Mixed-Use, Industrial Art, and Western Business District. Related Zoning Case: ZC-11-100 Text Amendment Camp Bowie Corridor. Draft ordinance: <http://www.fortworthgov.org/planninganddevelopment/zoningcommission.aspx>. (Recommended for Approval)

Mr. Paul Paine, 1606 Mistletoe Boulevard, completed a speaker card in support of Zoning Docket No. ZC-11-075, but did not wish to address the City Council.

Motion: Mayor Pro tem Zimmerman made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-11-075 be approved, with the stipulation that the Ridglea Urban Village Core South Subdistrict be pulled from the case and continued until the January 10, 2011, Council meeting. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

(Council Member Espino left his place at the dais.)

13. ZC-11-076 - City of Fort Worth Planning & Development, Eastern portion of Berry/University Urban Village, Generally bounded by W. Bowie Street, James Avenue, W. Devitt Street, and Forest Park Boulevard; from "MU-1" Low Intensity Mixed-Use to: "MU-2" High Intensity Mixed Use. (Recommended for Approval)

The following individuals completed a speaker card in support of Zoning Docket No. ZC-11-076, but did not wish to address the City Council.

Mr. Leland Clemons, 308 St. Veran Park
Ms. Sandra Dennely, 3124 College Avenue

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Zoning Docket No. ZC-11-076 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Member Espino and Council Member Moss absent.

City Secretary Hendrix advised that Zoning Docket Nos. ZC-11-077 and ZC-11-079 through ZC-11-095 would be heard and considered under one (1) motion.

14. ZC-11-077 - City of Fort Worth Planning & Development, 5633 Diaz Avenue; from: "A-5" One-Family to: "ER" Neighborhood Commercial Restricted. (Recommended for Approval)

16. ZC-11-079 - City of Fort Worth Planning & Development, 1417 Belzise Terrace; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

17. ZC-11-080 - City of Fort Worth Planning & Development, 1201 Blodgett Avenue; from: "E" Neighborhood Commercial to: "A-5" One-Family. (Recommended for Approval)

18. ZC-11-081 - City of Fort Worth Planning & Development, 3012 Elinor Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

19. ZC-11-082 - City of Fort Worth Planning & Development, 709 East Harvey Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

20. ZC-11-083 - City of Fort Worth Planning & Development, 4105 Jackson Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

21. ZC-11-084 - City of Fort Worth Planning & Development, 3629 James Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

- 22. ZC-11-085 - City of Fort Worth Planning & Development, 2412 South Jones Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 23. ZC-11-086 - City of Fort Worth Planning & Development, 807 Kellis Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 24. ZC-11-087 - City of Fort Worth Planning & Development, 5307 Lovell Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 25. ZC-11-088 - City of Fort Worth Planning & Development, 1921 Maddox Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 26. ZC-11-089 - City of Fort Worth Planning & Development, 4924 Mona Lisa Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 27. ZC-11-090 - City of Fort Worth Planning & Development, 1913 Myrtle Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 28. ZC-11-091 - City of Fort Worth Planning & Development, 600 East Ramsey Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 29. ZC-11-092 - City of Fort Worth Planning & Development, 4113 Sandage Avenue; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 30. ZC-11-093 - City of Fort Worth Planning & Development, 2501 Stuart Drive; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**
- 31. ZC-11-094 - City of Fort Worth Planning & Development, 1900 Uvalde Street; from: "FR" General Commercial Restricted to: "A-5" One-Family. (Recommended for Approval)**
- 32. ZC-11-095 - City of Fort Worth Planning & Development, 1000 West Broadus Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)**

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Jordan made a motion, seconded by Council Member Shingleton, that Zoning Docket Nos. ZC-11-077 and ZC-11-079 through ZC-11-095 be approved. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Member Espino and Council Member Moss absent.

Council moved back up the agenda to consider Zoning Docket No. ZC-11-078.

(Council Member Espino returned to his place at the dais.)

15. ZC-11-078 - City of Fort Worth Planning & Development, 3216 East 1st Street; from: "B" Two-Family to: "A-5" One-Family. (Recommended for Approval)

Mr. Larry Burdette, 101 Blevins, appeared before Council in opposition to Zoning Docket No. ZC-11-078 and stated that he had concerns about why the property was being rezoned and how the property was acquired by the City.

Ms. Dana Burghdoff, Deputy Director, Planning and Development Department, clarified that the property was a tax foreclosed property acquired by the City and the property was being rezoned in accordance with the Comprehensive Plan.

Mayor Price requested City staff research how the property was acquired and provide the information to Mr. Burdette.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Zoning Docket No. ZC-11-078 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

33. ZC-11-096 - Property Connection, Inc., 2340 Lipscomb; from: "B" Two-Family to: "B/HC" Two-Family/Historic & Cultural Overlay. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-11-096 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

34. ZC-11-097 - Benjamin & Ester Cowan, 1945 Chatburn Court; from: "A-5/DD" One-Family/Demolition Delay to: "A-5/HC" One-Family/Historic & Cultural Overlay. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-11-097 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays with Council Member Moss absent.

36. ZC-11-109 - Texas Christian University, 3501 & 3549 Bellaire Drive North; from: "PD-668" "PD/SU" Planned Development for all uses in "D" High Density Multifamily; plus: parking for Texas Christian University only, Site plan waived; & "PD-667" Planned Development for all uses in "C" Medium Density Multifamily Residential; plus: parking for Texas Christian University only, Site plan waived; and "MU-1" Low Intensity Mixed-Use to: "CF" Community Facilities. (Recommended for Approval)

There was no one present desiring to be heard in connection with the request.

Motion: Council Member Burns made a motion, seconded by Council Member Espino, that Zoning Docket No. ZC-11-109 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

There being no one else present desiring to be heard in connection with the recommended changes and amendments to Zoning Ordinance No. 13896, Council Member Burns made a motion, seconded by Council Member Espino, that the hearing be closed and that the following ordinance be adopted:

ORDINANCE NO. 19937-10-2011

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, SAME BEING AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, INDUSTRY, RESIDENCE AND OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES AND SIZE OF THE BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, OFF-STREET PARKING AND LOADING, AND THE DENSITY OF POPULATION, AND FOR SUCH PURPOSES DIVIDING THE MUNICIPALITY INTO DISTRICTS AND THE BOUNDARIES THEREOF UPON "DISTRICT MAPS"; PURPOSE AND CONFLICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION AND NAMING AN EFFECTIVE DATE.

The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XV. PUBLIC HEARINGS

Mayor Price announced that the Public Hearing on the Ordinance Amending Article II, Chapter 15 Gas Drilling of the City Code would be moved up on the Agenda.

Mayor Price opened the public hearing and asked if there was anyone present desiring to be heard.

2. Public Hearing Regarding an Ordinance Amending Article II, Chapter 15 Gas Drilling of the City Code, Section 15-31 to Provide Definitions for Existing Well Site, Well Permit, Multiple Gas Well Pad Site Permit, Potential Impact Radius and a Revised Definition for Protected Use, Division V to Provide Provisions for Multiple Gas Well Pad Site Permits, Waiver Setbacks and Requirements, Notice, Section 15-34 Exceptions to Grandfathering Provisions for Outer Boundary Property Line and Tanks and Equipment, Section 15-42 to Provide for Regulation of Saltwater Disposal Wells, Sections 15-35 and 15-42 to Provide for Best Management Practices, and Section 15-46 to Provide for a Notification Zone for Proposed New Gas Pipelines.

a. Report of City Staff

Mr. Rick Trice, Assistant Director, Gas Wells, Planning and Development Department, appeared before Council and provided a staff report.

Due to the large number of people in the audience, Council Member Jordan requested a show of hands from the audience of who was opposed to the following six (6) proposed provisions:

1. Multi-Well Pad Sites
2. Best Practices
3. Salt Water Disposal Well
4. Pipeline Notification Zone
5. Protected Use Definition
6. Grandfathering Setbacks

b. Citizen Presentations

The following individuals appeared before Council in opposition to the proposed amendments to Article II, Chapter 15 Gas Drilling of the City Code. Representatives from the gas drilling industry stated that the amendments would make the parameters too confining for drilling companies which would lead to lost business and revenue. They stated that the study conducted by ERG confirmed that the public was not in danger and the drilling companies had complied with all city, state and federal laws. They pointed out that companies would choose not to operate in the City if there were too many restrictions and if the costs were too high. They also advised that the higher cost of drilling would cause the royalties paid to the property owner, who were harvesting the minerals, to decrease. They stated that the proposed changes could affect the economic vitality of the City. Other citizens pointed out the harmful effects of drilling on the land, air and water and encouraged the City to perform more testing. They stated concerns about salt water disposal wells and the amount of water it took to drill. They stated it was not fair that the drilling companies had access to unlimited amounts of water when the citizens were placed on water restriction. They expressed concerns on the definition of protected uses and the grandfathering of setbacks and stated that drilling should not occur any closer than what the current ordinance allowed. They urged the City to conduct more public outreach on this matter and carefully review the proposed changes and include the citizen suggestions before approving any revisions or amendments to the gas well drilling ordinance:

(XV. PUBLIC HEARINGS #2 Continued)

Mr. Jeff Tucker, 2552 Rogers Avenue
Mr. Gary Hogan, 2117 Rolling Creek Run
Mr. Ed Ireland, Executive Director, Barnett Shale Energy Education Council, 777 Taylor Street, Suite 900
Mr. Winn Middleton, Chesapeake Energy, 1200 Summit Avenue, Suite 860
Mr. Christian Ellis, President, Berkley Place Neighborhood Association, 1925 Dartmoor Court
Ms. Leah King, Chesapeake Energy, 100 Energy Way
Ms. Mary Kelleher, 1901 Randoll Mill Road (displayed photos of salt water disposal wells and pipelines and handout of media coverage regarding chemicals on her property).

Ms. Libby Willis, President, Fort Worth League of Neighborhood Associations (FWLNA), 2300 Primrose Avenue (provided handout of proposed amendments by the FWLNA)
Mr. Jim Ashford, 6209 Riverview Circle
Mr. Robert Lindholm, Chesapeake Energy, 1200 Summit Avenue, Suite 880 (provided handout from Chesapeake Energy detailing how the proposed amendment could negatively impact the economic vitality of the City)
Mr. Kurt Hansen, 5956 Sherry Lane, Dallas, Texas 75225
Mr. Ernie Horn, 819 Penn Street
Mr. Geoff Radler, 3701 Monticello Drive
Mr. Gilbert Horton, Devon Energy, 777 Main Street, Suite 2200 (provided handout from Devon Energy against the proposed amendments)
Ms. Gloria Thompson, 3905 Lafayette Avenue
Mr. Alonzo Aguilar, 3725 Stuart Drive
Ms. Esther McElfish, 7112 Martha Lane
Mr. Bill Thornton, 3412 Clear Fork Trail
Mr. Robert Snoke, 3826 6th Avenue
Ms. Rosa Navejar, President, Fort Worth Hispanic Chamber of Commerce (FHWCC), 1840 Lake Meredith Way (provided Proclamation from the FWHCC supporting the current gas drilling ordinance)
Ms. Beverly Branham, 6487 Woodstock Road (provided handout of her comments relative to earthquakes, concentrated radiation and the wastewater moratorium)

The following individual completed an “undecided” speaker card to the proposed amendments to Article II, Chapter 15 Gas Drilling of the City Code:

Ms. Judy Wood, League of Women Voters of Tarrant County, 3913 Willow Way Road, (provided handout of her comments regarding salt water injection wells and disposal)

(XV. PUBLIC HEARINGS #2 Continued)

Mr. Steve Murrin, representing the Historic Fort Worth Stockyards Organization, 500 N.E. 23rd Street, completed an “undecided” speaker cards to the proposed amendments to Article II, Chapter 15 Gas Drilling of the City Code and spoke regarding the drilling in the historic Stockyards area. He added that the Stockyards had seen over two (2) million visitors and was unlike any other area in the country. He stated that the ambiance and setting would be ruined by drilling and the gas wells. He further stated his concerns about drilling accidents that could occur and the need for an emergency evacuation plan for the area. He requested the historic Stockyards area be named as a protected use in the City Code.

Mayor Price and Council Members Hicks, Shingleton, Espino and Burns all expressed appreciation to everyone for attending the meeting and voicing their concerns. They stated that all of the comments were constructive and brought up valid points. They requested more time for Council discussion and public outreach before any decisions were made. They added that there were a number of important issues to discuss such as health and safety, multi-well pad sites; salt water disposal wells; the pipeline notification zone; protected uses definition; grandfathering setbacks; and pipeline corrosion. They stated the input and participation was another indication of the love that residents and stakeholders had for the City.

Council Member Espino also stated that this was a tough decision and the Council was attempting to balance the quality of life for the citizens and the economic benefits of drilling. He also pointed out that many of the proposed revisions to the ordinance were in response to citizen comments received at public meetings. He requested the City staff provide a report on the drilling activity in the Fort Worth Stockyards.

The following individuals completed speaker cards in opposition to the proposed amendments to Article II, Chapter 15 Gas Drilling of the City Code and were recognized by Mayor Price, but were not present in the Council Chamber.

Ms. Ampara Alejandro, 1216 Clinton Avenue
Mr. Christopher Kastner, 765 Red Elm Lane

c. Council Action

Motion: Council Member Hicks made a motion, seconded by Mayor Pro tem Zimmerman, that the public hearing be closed. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

City Secretary Hendrix advised that Council would move back up the agenda to the Public Hearing regarding the preferred number of City Council Districts for the Redistricting Plan.

Mayor Price opened the public hearing and asked if there was anyone present desiring to be heard.

1. Public Hearing Regarding the Preferred Number of City Council Districts for the Redistricting Plan.

a. Report of City Staff

Ms. Dana Burghdoff, Deputy Director, Planning, Planning and Development Department, appeared before Council and provided a staff report.

b. Citizen Presentations

The following individuals completed speaker cards in opposition to the public hearing on the Redistricting Plan and stated that the City should stay with the current eight (8) single member districts with one (1) at-large Mayoral position. They stated that the neighborhoods within certain districts were starting to work together and by redrawing the district boundaries all of the hard work would be wasted. They also stated that community outreach was needed to encourage citizens in all areas of the City to register and actively vote in elections.

Ms. Eunice Givens, 5500 Stafford Drive

Mr. Robert Snoke, 3826 6th Avenue

Ms. Beverly Branham, 6487 Woodstock Road

Councilman Burns expressed his concerns with comments made by Ms. Branham regarding the Spanish-speaking community and their ability to speak English and to vote.

The following individuals completed “undecided” speaker cards relative to the public hearing on the Redistricting Plan and stated they would encourage a charter amendment election and suggested 10 single member districts with one (1) at-large Mayoral position. They stated that very large districts encouraged at-large representation and behavior that would lead to inefficient governance. They also pointed out that seeking office was more expensive in large districts. They stated that continuing with the current district number would deprive the Hispanic community from having a second functional Hispanic district in the City and would not meet the Department of Justice requirements. They added that the community was ready to work constructively to find solutions and protect their rights.

Mr. Fernando Florez, United Hispanic Council of Tarrant County, Chairman, Redistricting Committee, 2740 Hemphill Street (provided a copy of his comments, map of proposed district boundaries and a population summary report)

Mr. Pablo Calderon, 4813 Kemble Street

Mr. Benjamin Drake, 4031 Bowser Avenue, Dallas, Texas 75219, completed a speaker card in opposition to the public hearing on the Redistricting Plan and was recognized by Mayor Price, but was not present in the Council Chamber.

(XV. PUBLIC HEARINGS #1 Continued)

The following individuals completed “undecided” speaker cards relative to the public hearing on the Redistricting Plan and were recognized by Mayor Price, but were not present in the Council Chamber:

Ms. Wanda Conlin, 1755 Martel Avenue
Mr. Greg Hughes, 2544 Stadium Drive

Council Member Espino stated he supported the 10 single member districts with one (1) at-large Mayoral position. He also stated that encouraging voting from the Hispanic Community required community outreach. He stated that the City had grown significantly since implementing the eight (8) single member districts with one (1) at-large Mayoral position. He stated that redistricting implemented and encouraged diversity and equality including geographic location. He encouraged the citizens to decide what they wanted for their City and reiterated his support for redistricting.

Council Member Espino also read into the record a letter from Father Stephen Jasso, All Saints Catholic Church, 214 NW 20th Street, stating his support for redistricting and community outreach.

Council Member Hicks also expressed her concerns with statements made by Ms. Branham and that stereotyping would not be allowed or tolerated during Council meetings.

c. Council Action

Motion: Council Member Shingleton made a motion, seconded by Council Member Hicks, that the public hearing be closed. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

(Council Member Espino left his place at the dais.)

XVI. REPORT OF THE CITY MANAGER

B. General

1. M&C G-17412 - Authorize Reimbursement of the General Fund in the Amount of \$532,422.35 for Expenses Associated with the Leasing of City-Owned Minerals in Fiscal Year 2011 from Royalties and Bonuses Received and Adopt Appropriation Ordinance.

The recommendation was that the City Council Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airports Gas Lease Project Fund in the Amount of \$84,039.62, Aviation Endowment Gas Lease Fund in the Amount of \$84,035.14, Capital Projects Reserve Fund in the Amount of \$47,691.15, General Endowment Gas Lease Fund in the Amount of \$47,622.38, Park Gas Lease Project Fund in the Amount of \$29,412.90, Park System Endowment Gas

(G-17412 Continued)

Lease Fund in the Amount of \$10,921.34, Golf Gas Lease Capital Project Fund in the Amount of \$45.99, Lake Worth Gas Lease Capital Improvement Fund in the Amount of \$215,521.62, Water and Sewer Gas Lease Capital Projects Fund in the Amount of \$7,171.85, Water and Sewer Endowment Gas Lease Fund in the Amount of \$2,390.10; and Authorize the Transfer of \$532,422.35 to the General Fund to Cover Administrative Costs of Mineral Leasing Associated With City-Owned Properties.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17412 be approved and Appropriation Ordinance No. 19939-10-2011 be adopted. The motion carried unanimously (7) ayes to (0) nays with Council Member Espino and Council Member Moss absent.

2. M&C G-17413 - Authorize Execution of Contract Addendum No. 1 to the Original Contract with PetSmart Charities Expanding the Number of Satellite Shelter Pet Adoption Centers from One to Two.

The recommendation was that the City Council Authorize Execution of Addendum No. 1 to the Original Contract Between the City and PetSmart Charities Expanding the Number of Satellite Shelter Pet Adoption Centers From One (1) to Two (2).

Motion: Council Member Hicks made a motion, seconded by Council Member Shingleton, to approve that Mayor and Council Communication No. G-17413 be approved with appreciation. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Member Espino and Council Member Moss absent.

3. M&C G-17414 - Accept Donation from Texas Midstream Gas Services, L.L.C., in the Amount of \$30,000.00 for Improvements to Delga Park and Adopt Appropriation Ordinance.

The recommendation was that the City Council Accept a Donation From Texas Midstream Gas Services, L.L.C., in the Amount of \$30,000.00 for Improvements to Delga Park; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Park Gas Lease Project Fund, Subject to Receipt of the Donation, for the Purpose of Funding the Improvements.

Motion: Council Member Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. G-17414 be approved and Appropriation Ordinance No. 19939-10-2011 be adopted. The motion carried unanimously seven (7) ayes to zero (0) nays, with Council Member Espino and Council Member Moss absent.

4. M&C G-17415 - Conduct a Public Hearing and Adopt Ordinance Designating Tax Abatement Reinvestment Zone No. 77, City of Fort Worth, Texas, for the Alcon Laboratories Property Located at 6201 South Freeway. (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing Concerning the Designation of Tax Abatement Reinvestment Zone No. 77, City of Fort Worth, Texas; and Adopt an Ordinance Designating a Certain Area in the City of Fort Worth as “Tax Abatement Reinvestment Zone Number 77, City of Fort Worth, Texas”; Providing the Effective and Expiration Dates for the Zone and a Mechanism for Renewal of the Zone; and Containing Other Matters Related to the Zone, Pursuant to and in Accordance With Chapter 312 of the Texas Tax Code.

It was the consensus of the City Council that Mayor and Council Communication No. G-17415 be continued until the November 1, 2011, Council meeting.

D. Land

1. M&C L-15261 - Conduct a Public Hearing and Authorize Subsurface Drilling and Extraction of Natural Gas From an Off-Site Location at Wedgwood Park. (Continued from a Previous Meeting) (PUBLIC HEARING)

The recommendation was that the City Council Conduct a Public Hearing Under the Guidelines Set Forth by the Texas Parks and Wildlife Code, Chapter 26, Protection of Public Parks and Recreational Lands; Find That No Feasible or Prudent Alternatives Exist to Use Wedgwood Park Located at 5309 Winifred Drive, South of Winifred Drive, North of Walton Avenue, West of Wharton Drive, and East of Whitman Avenue; Find That the Proposed Use Includes All Reasonable Planning to Minimize Harm to the Parkland and Including That the Proposed Use Will Have No Impact on Use of the Surface of Parkland; and Close the Public Hearing and Authorize the City Manager to Approve the Use of the Subsurface of Parkland for the Drilling and the Extraction of Natural Gas.

Mayor Price opened the public hearing and asked if there was anyone present desiring to be heard.

a. Report of City Staff

Mr. Richard Zavala, Director, Parks and Community Services Department, appeared before Council and provided a staff report.

(Council Member Espino returned to his place at the dais.)

b. Citizen Presentations

There was no one present desiring to be heard in connection with the public hearing.

(L-15261 Continued)

c. Council Action

Motion: Council Member Jordan made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. L-15261 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

F. Award of Contract

1. M&C C-25228 - Authorize Execution of a Contract with the Arts Council of Fort Worth and Tarrant County in the Amount of \$1,066,253.00 from the General Fund to Promote Artistic and Cultural Activities for Fiscal Year 2012.

The recommendation was that the City Council Authorize the Execution of a Contract With the Arts Council of Fort Worth and Tarrant County in the Amount of \$1,066,253.00 From the General Fund to Promote Artistic and Cultural Activities for Fiscal Year 2012.

Motion: Council Member Hicks made a motion, seconded by Council Member Burns, that Mayor and Council Communication No. C-25228 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

2. M&C C-25229 - Authorize Execution of a Contract with United Way of Tarrant County in the Amount of \$281,000.00 to Fund Various Organizations and Coordinate Area Agencies and Social Service Programs for the Benefit of the Entire Fort Worth Community for Fiscal Year 2012.

The recommendation was that the City Council Authorize the Execution of a Contract With United Way of Tarrant County in the Amount of \$281,000.00 to Fund Various Organizations and Coordinate Area Agencies and Social Service Programs for the Benefit of the Entire Fort Worth Community for Fiscal Year 2012.

Council Member Hicks advised that she needed to recuse from voting on this item.

Motion: Council Member Shingleton made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25229 be approved. The motion carried seven (7) ayes to zero (0) nays, with one (1) recusal by Council Member Hicks and Council Member Moss absent.

3. M&C C-25230 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate a Natural Gas Gathering Pipeline Across Elliot Reeder Road.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, L.L.C., Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Elliot Reeder Road, East of Carson Street, for a One (1) Time License Fee of \$945.00.

Motion: Council Member Scarth made a motion, seconded by Council Member Hicks, that Mayor and Council Communication No. C-25231 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

4. M&C C-25231 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate a Natural Gas Gathering Pipeline Across Joe B. Rushing Road.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, L.L.C., Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Joe B. Rushing Road, West of Wichita Street, for a One (1) Time License Fee of \$5,670.00.

Motion: Council Member Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25231 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

5. M&C C-25232 - Authorize Execution of a Public Right-of-Way Use Agreement Granting Texas Midstream Gas Services, L.L.C., a License to Construct and Operate a Natural Gas Gathering Pipeline Across Taft Street, North of Interstate 30 and West of Beach Street.

The recommendation was that the City Council Authorize the Execution of a Public Right-of-Way Use Agreement With Texas Midstream Gas Services, L.L.C., Granting a License to Construct and Operate a Natural Gas Gathering Pipeline Across Taft Street, North of Interstate 30 and West of Beach Street, for a One (1) Time License Fee of \$3,591.00.

Motion: Council Member Hicks made a motion, seconded by Council Member Scarth, that Mayor and Council Communication No. C-25232 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

6. M&C C-25233 - Authorize Execution of an Infrastructure Construction Agreement with Fort Worth South, Inc., for the Construction of Public Improvements on Park Place Avenue from Warner Road to Eighth Avenue and on Enderly Place from Allen Avenue to Park Place Avenue with City Participation in the Amount of \$896,184.84, and Adopt Appropriation Ordinance to Accept and Appropriate \$858,816.58 from the Special Assessment District Fund for this Project.

The recommendation was that the City Council Authorize the Execution of an Infrastructure Construction Agreement With Fort Worth South, Inc., With City Participation in the Amount of \$896,184.84 for the Construction of Public Improvements on Park Place Avenue From Warner Road to Eighth Avenue and Enderly Place From Allen Avenue to Park Place Avenue and; Authorize the Acceptance of Funds in the Amount of \$858,816.58 From the Special Assessment District Fund for the Construction of the Project; and Adopt an Appropriation Ordinance

Increasing the Estimated Receipts and Appropriations in the Specially Funded Capital Projects Fund, From Available Funds, for the Purpose of Funding the Improvements.

Motion: Council Member Burns made a motion, seconded by Mayor Pro tem Zimmerman, that Mayor and Council Communication No. C-25233 be approved and Appropriation Ordinance No. 19940-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

7. M&C C-25234 - Authorize Execution of an Agreement with the United Way of Tarrant County for \$2,393,356.00 to Implement Action Items from Directions Home, the City's Homelessness Plan.

The recommendation was that the City Council Authorize Agreement With the United Way of Tarrant County in the Amount of \$2,393,356.00 for the Implementation of Programs Described as the City's Responsibility in Directions Home, the City's Homelessness Plan; Authorize Extension or Renew the Agreement for Up to One (1) Year if the United Way of Tarrant County Requests an Extension and it is Necessary for the Completion of the Program; and Authorize Amending the Agreement if Necessary to Achieve Program Goals Provided That the Amendment is Within the Scope of the Program and in Compliance With Applicable Laws.

Council Member Hicks advised would need to recuse from voting on this item.

The Council discussed delaying this item for one month in order for the City staff to gather information on how these funds were going to be spent and how the living units for the homeless in the Directions Home Program had been distributed throughout the City as well as the matrix on the measurement for the effectiveness of this program.

(C-25234 Continued)

Assistant City Manager Fernando Costa reported that City staff would like to bring forward a recommendation next Tuesday because if this item was delayed and the contract not executed by the end of the month then the rent payments would be jeopardized for the individuals under this program.

Council Member Hicks expressed her concerns for the membership on the Mayor's Committee for Homelessness and those citizens that were impacted on East Lancaster, the Meadowbrook area and elsewhere, and added that those citizens should have representation on this committee. She indicated her desire to discuss this issue next week.

Council Member Burns expressed his frustration for having the Council consider agenda items the week before certain deadlines. He pointed out the Council needed time to discuss them and the citizens needed time to provide their input.

Council Member Jordan also expressed his concern to see the matrix that was part of the 10 year Directions Home Plan that determined the success of the program.

Council Member Espino pointed out that this was an award winning program and he was sure Otis Thornton, Human Services Manager, Housing and Economic Development Department, would present the appropriate information.

Mayor Pro tem Zimmerman echoed the comments made by Council Member Burns about being pushed in a corner to consider items and indicated this practice needed to be corrected.

At the request of Council Member Jordan, Mr. Thornton advised that this was the fourth year of the program.

Mayor Price indicated her support to receive more information on this program.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25234 be continued until the October 25, 2011, Council meeting. The motion carried seven (7) ayes to zero (0) nays, with one (1) recusal by Council Member Hicks and Council Member Moss absent.

8. M&C C-25235 - Authorize Execution of Two Multi-Year Architectural Design Agreements for Small Multi-Disciplinary Projects with Elements of Architecture, Inc., and Quorum Architects, Inc., on an As-Needed Basis for a Total Fee Not to Exceed \$1,500,000.00 Over the Five-Year Period for Each Agreement.

The recommendation was that the City Council Authorize the Execution of Two (2) Multi-Year Architectural Design Agreements With Elements of Architecture, Inc., and Quorum Architects, Inc., for a Total Fee Not to Exceed \$1,500,000.00 Over the Five (5) Year Period of Each Agreement.

Motion: Council Member Scarth made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25235 be approved. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

9. M&C C-25236 - Authorize Execution of an Agreement with the Safe City Commission, Inc., for \$300,000.00 to Operate One Safe Place as a Family Justice Center for Tarrant County.

The recommendation was that the City Council Authorize Execution of an Agreement for \$300,000.00 With the Safe City Commission, Inc., During Fiscal Year 2012 to Operate One Safe Place as a Family Justice Center for Tarrant County.

It was the consensus of the City Council that Mayor and Council Communication No. C-25236 be withdrawn from consideration.

10. M&C C-25237 - Authorize the Application and Acceptance, if Awarded, a Grant from the Texas Department of Transportation Aviation Division in the Amount of \$2,343,750.00 for the Construction of Apron A Improvements at Fort Worth Meacham International Airport, Authorize Expenditure of \$1,057,345.00 for the City's Twenty-Five Percent Grant Match, Non-Participating Portion and Project Management Expenses and Adopt Appropriation Ordinances.

The recommendation was that the City Council Authorize Application and Acceptance, if Awarded, a Grant From the Texas Department of Transportation Relating to the Construction of and Construction Management Services for the Reconstruction of Apron A and Related Drainage and Associated Appurtenances at Fort Worth Meacham International Airport in the Amount of \$2,343,750.00; Authorize Use of Revenue Derived From Mineral Leases on City Owned Airports in the Amount of \$1,057,345.00 to Provide for a Grant Match in the Amount of 25 Percent of Total Project Costs, Non-Participating Portion and Project Management Expenses; Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airports Gas Lease Project Fund, From Available Funds, Subject to Receipt of the Grant, for the Purpose of Funding the Construction of Apron Improvements at Fort Worth Meacham International Airport; Authorize Transfer of \$1,057,345.00 From the Airports Gas Lease Project Fund to the Airport Grants Fund for the City's 25

(C-25237 Continued)

Percent Grant Match, Non-Participating Portion and Project Management Expenses; and Adopt an Appropriation Ordinance Increasing the Estimated Receipts and Appropriations in the Airports Grants Fund, Subject to Receipt of the Grant, for the Purpose of Funding the Improvements.

Motion: Council Member Espino made a motion, seconded by Council Member Shingleton, that Mayor and Council Communication No. C-25237 be approved and Appropriation Ordinance Nos. 19941-10-2011 and 19942-10-2011 be adopted. The motion carried unanimously eight (8) ayes to zero (0) nays, with Council Member Moss absent.

XVII. CITIZEN PRESENTATIONS

Donnell Ballard, 3100 Hamilton Avenue, completed a citizen presentation card relative to an apology to the Gay Lesbian Bisexual Transgender Community and was recognized by Mayor Price, but was not present in the Council Chamber.

XIX. ADJOURNMENT

There being no further business, Mayor Price adjourned the meeting at 10:28 p.m. in memory of Keirsten Leanne Head, who passed away on October 14, 2011, after a long illness. She was the daughter of Keith and Connie Head of the Ryan Place Neighborhood Association and was a 2006 TCU graduate and an extremely loyal and avid alumnae and fan. She will be greatly missed by her family and friends.

These minutes approved by the Fort Worth City Council on the 25th day of October, 2011.